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on 12/17/98  
Wynne Gustafson

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TRANSCRIPTIONAL ACTIVATION SYSTEM, ACTIVATORS, AND USES THEREFOR,

the specification of which):

\_\_\_\_\_ is attached hereto

X was filed on May 1, 1997 as Application Serial No. 08/850,127 and amended on \_\_\_\_\_ (if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_, on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States:

<u>                    </u>	<u>                    </u>	<u>                    </u>
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

<u>60/017,016</u>	<u>May 3, 1996</u>	<u>pending</u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

60/017,016      May 3, 1996      pending  
(Application Serial No.)      (filing date)      (status-patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)      (filing date)      (status-patented, pending, abandoned)

PCT Applications designating the United States:

\_\_\_\_\_  
(PCT Appl. No.)      (U.S.S.N.)      (status-patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Mark Ptashne

Inventor's signature Mark Ptashne      Date: 1/29/98

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address same

Full name of second inventor Xiangyang Lu

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 15 Beacon Street, Number 3, Somerville, Massachusetts 02143

Citizenship \_\_\_\_\_

Post Office Address same

such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Mark Ptashne

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of second inventor Xiangyang Lu

Inventor's signature: Xp Lu Date: 2/4/98

Residence 1 STEARNS STREET, CAMBRIDGE, MA 02138

Citizenship China

Post Office Address \_\_\_\_\_

Full name of third inventor Yibing Wu

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

ds1/338220

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Mark Ptashne

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 85 Sparks Street, Cambridge, Massachusetts 02138

Citizenship \_\_\_\_\_

Post Office Address same

Full name of second inventor Xiangyang Lu

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 15 Beacon Street, Number 3, Somerville, Massachusetts 02143

Citizenship \_\_\_\_\_

Post Office Address same

Full name of third inventor Yibing Wu

Inventor's signature *Yibing Wu* Date: \_\_\_\_\_

Residence 389 Worcester Road, Wellesley, MA 02181

Citizenship \_\_\_\_\_

Post Office Address Same

ds1/338220

ATTORNEY DOCKET NO.: 0342941-0015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ptashne et al.

Examiner:

Serial No.:

Group Art Unit:

Filed: May 1, 1997

For: TRANSCRIPTIONAL ACTIVATION SYSTEM, ACTIVATORS, AND USES THEREFOR

**VERIFIED STATEMENT (DECLARATION)**

**CLAIMING SMALL ENTITY STATUS**

**37 CFR 1.9(f) and 1.27(d)**

**NON-PROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the non-profit organization identified below:

NAME OF CONCERN: President and Fellows of Harvard College  
ADDRESS OF CONCERN: 124 Mount Auburn Street, Cambridge, MA 02138

**TYPE OF ORGANIZATION:**

- (X) University or other organization of higher education
- ( ) Non-profit scientific or educational organization under a statute of a state of the United States of America  
NAME OF STATE: \_\_\_\_\_  
CITATION OF STATUTE: \_\_\_\_\_
- ( ) Would qualify as tax exempt under the Internal Revenue Service Code (26 USC 501(a) and 501(c) (3) if the organization were located in the United States of America
- ( ) Tax exempt under the Internal Revenue Service Code (26 USC 501(a) and 501(c) (3).
- ( ) Would qualify as a non-profit scientific or educational organization under a statute of a state of the United States of America  
NAME OF STATE: \_\_\_\_\_  
CITATION OF STATUTE: \_\_\_\_\_

I hereby declare that the above-identified non-profit organization qualifies as a non-profit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231  
on 12/17/96

*[Signature]*

I hereby declare that rights under contract or law have been conveyed to and remain with the above-identified non-profit organization with regard to the invention titled:

TITLE: TRANSCRIPTIONAL ACTIVATION SYSTEM, ACTIVATORS, AND USES THEREFOR

INVENTORS: Mark Ptashne, Xiangyang Lu and Yibing Wu

described in:

- (X) the specification filed herewith  
( ) U.S. Patent Application Serial Number \_\_\_\_\_  
filed \_\_\_\_\_  
( ) U.S. Patent Number \_\_\_\_\_  
issued \_\_\_\_\_

If the rights of the above-identified non-profit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor(s), who could not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention, averring to their status as small entities. (37 CFR 1.27).

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NON-PROFIT  
ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NON-PROFIT  
ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NON-PROFIT  
ORGANIZATION

